

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, paragraphs have been amended on pages 1, 2, 5, 6, 7 and 8.

Claims 8 and 9 are requested to be cancelled without prejudice or disclaimer.

Claims 1 and 3-7 are currently being amended.

Claims 10-12 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7 and 10-12 are now pending in this application.

In the Examiner's paper mailed 04/23/07, the Examiner rejects claims 1, 5, 6 and 9 under 35 U.S.C. 112 for having phrases that lack an antecedent basis. With the exception of Claims 6 and 9, which have been canceled, the claims have been amended to provide an antecedent basis as required by the Examiner.

The Examiner rejects claims 1 - 9 under 35 U.S.C. 102(b) as being anticipated by Gagon, the 897 patent. This rejection is respectfully traversed.

In referring to the 897 reference, the Examiner at page 3 of the Examiner's paper at paragraph 3, while dictating from figures in the 897 reference says:

"a voltage controlled amplifier circuit (68) having a signal input coupled to receive to compensated signal (22), and a control signal input coupled to receive at least **a sample portion of the mid-range band-pass signal (control signal 76 is depending on signal 66, this signal 66, as shown in Fig. 5 has at least a sample portion of the mid-range band pass signal) ...**"

The control signal referred to by the Examiner in the 897 reference does not have or suggest as claimed in the subject applicaion:

**"a control signal input coupled to receive at least a sample portion of the mid-range band-pass signal "**

A review of Figure 3 and Figure 5 in the 897 reference shows that the sum of the low-range, mid-range and high-range band pass signals appears on signal line 22. In the subject application, the sum of the equivalent signals in Figure 1 appears on signal line 112. and is carried to the signal input 110 of the Voltage Controlled Amplifier 146.

However Figure 3 in the 897 reference shows that the equivalent of the compensated signal of the subject application appears on signal line 22 is delivered to block 60 of Figure 3 in the 897 reference. Block 60 is explained in Figure 5 of the 897 reference. Figure 5 of the 897 reference shows that signal from signal line 22 is then inverted by unity gain buffer 64, and then output on signal line 66. Figure 3 of the 897 reference then shows that signal line 66 is connected to block 100. Block 100 is explained in Figure 7 of the 897 reference. Block 100 is shown processing the sum of the three band-pass signals to obtain the control signal for the voltage control amplifier that is output on the control signal at signal line 76. The control signal on signal line 76 of the 897 reference is shown connected to two alternative embodiments of the voltage control amplifier 68, 83 on Figures 5 and 6.

**However, that is not the process shown or claimed in the subject application.** The subject application claims:

" a voltage controlled amplifier circuit having a signal input coupled to receive the compensated signal, and a control signal input coupled to receive at least a sample portion of the mid-range band-pass signal,..."

The "sample portion of the mid-range band-pass signal that is claimed is shown as originating or being tapped off of the Vmp signal line on Figure 1 of the subject application. The Vmp line signal is connected directly and electrically to the control signal input and therefore the control signal input receives a a sample portion of the mid-range band-pass signal and does not receive a portion of the compensated signal. The Vmp signal that is shown connected to input 14 of the voltage control amplifier of Figure 1 is " a sample portion of the mid-range band-pass signal" and it is delivered before it is summed with the low-range band-pass signal to form the compensated signal.

The use of a portion of the "mid-range band-pass signal" as the source for the control signal for the voltage control amplifier circuit produces a different result in the control of the voltage control amplifier circuit as recited in the claims of the subject application.

Since the claimed signals and topology of the subject application are different from that shown in the 897 reference, and since the difference in the topologies result in a difference in the control function, the applicant respectfully requests that the Examiner withdraw the 35 U.S.C. 102 rejection.

It should also be noted that the subject claimed invention uses a half wave rectifier circuit shown as a DETECTOR in phantom block 122 on Figure 7. The circuit of the half wave rectifier of amplifier 130 and diodes D1 and D2 uses fewer parts than the absolute value circuit of Figure 7 in the upper right corner shown in the 897 reference. The half wave detector circuit is not shown or suggested in the 897 reference and it is claimed as a limitation in new claim 12 in the subject application.

The changes request to the specification are made to remove inconsistencies in the nomenclature.

New matter has not been added by this amendment.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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